



STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



JENNIFER M. GRANHOLM
GOVERNOR

REBECCA A. HUMPHRIES
DIRECTOR

September 17, 2007

TO: Rebecca A. Humphries, Director

INFORMATION: Natural Resources Commission

Transaction: Wildlife and Parks and Recreation 3-Way Land Exchange
Oak Grove State Game Area – Livingston County
Proud Lake Recreation Area – Oakland County

Participants: Doe and Don Schubert, Oak Grove, Michigan
Walled Lake Consolidated School District (WLCSD), Walled Lake

Land Transaction Case #20060112 and #20040054 (WLCSD)

Private Land Offered Livingston County, Cohoctah Township, T04N, R04E, Section 13
In Exchange: All that part of the E ½ of S ½ of S ½ lying West of the outlet of Boutell Lake and South of the South Branch of the Shiawassee River; Section 24: A parcel described as land located in the center of Section 24, bounded on the East by land owned by L. M. Simes, on the North and West by Bogue Creek, and on the South by highway (Jones Road), except all that part presently used for cemetery purposes; and, a parcel described as the N ½ of NW ¼ East of Bogue Creek and South of South Branch of Shiawassee River, and, the W ½ of NE ¼ except that part lying North and West of the South Branch of the Shiawassee River. (114.0 acres more or less)

Appraised Value: \$969,000.00

Stipulations: (1) The Schuberts consent to a sale of these premises at \$969,000.00. However, it is understood that said premises may have a monetary worth in excess of that amount, in which case, any value in excess thereof is considered to be a gift to the State of Michigan.

(2) The Schuberts reserve the right of first refusal to re-purchase the land included in this transaction at the then 'fair market value' should the State of Michigan decide to terminate its interest in the land.

NATURAL RESOURCES COMMISSION

Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • Darnell Earley • John Madigan • J. R. Richardson • Frank Wheatlake

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(3) The Schuberts offer the State of Michigan right of first refusal for 78 acres located in T04N, R04E, Section 24: E ½ of NE ¼, or any part thereof. (This land constitutes the remainder of the parent tract in this location.)

(4) The Department of Natural Resources (Department) will complete a survey to identify the boundaries of the cemetery for purposes of exclusion from this transaction.

Option Expires: October 27, 2007 but subject to renewal, thereafter, in 30-day increments at the discretion of the Seller.

Reservations: The Schuberts reserve oil and gas for a 20-year period.

Property Taxes: Property taxes of the offered land for 2006 were estimated at \$1,897.00.

State Land Desired In Exchange: Oakland County, Commerce Township, T02N, R08E, Section 11
The Easterly 400 feet of that parcel described as: Beginning at the NE corner of said Section 11; thence S 2° 19' 18" E, 2,247.79 feet along the East line of said Section 11; thence S 87° 12' 59" W, 1,114.00 feet; thence S 2° 19' 18" E, 400.00 feet to a point on the East-West ¼ line of said Section 11 (Commerce Road – 33 feet ½ width); thence S 87° 12' 59" W, 101.82 feet along said ¼ line; thence N 1° 15' 01" W 577.50 feet; thence S 87° 12' 59" W, 528.00 feet; thence S 1° 15' 01" E, 177.42 feet; thence S 87° 12' 59" W, 1,001.69 feet to a point on the North-South ¼ line of said Section 11; thence N 1° 46' 44" W, 444.00 feet along said ¼ line; thence N 53° 56' 18" E, 3,287.46 feet to the point of beginning. (19.20 acres more or less.)

Appraised Value: \$969,000.00

Authority: Part 5 of Act 451, Public Acts of 1994, as amended.

Notice: This item will appear on the Department's October 1, 2007 Calendar, and is eligible for approval on October 8, 2007.

Comments: This 3-way exchange proposal benefits both the Department and the participants. The Department will receive the 114 acres offered by the Schuberts, WLCSD will receive the 19.2-acre State-owned parcel they are seeking, and the Schuberts will receive fair market value for their land.

The offered private land is located in northern Livingston County, two miles north of the community of Oak Grove, and abutting the southerly portion of 2,012 acres managed as the Oak Grove State Game Area.

The offered private property is vacant and contains 114 acres. The parcel exhibits an irregular shape and displays a level to hilly topography consisting of a combination of forested upland interspersed with marginally-drained wetland. Bogue Creek and the South Branch of the Shiawassee River form the western and northern boundaries of the parcel. Floodplain associated with these two water bodies form the wetland component of this tract and exhibit a forest cover of lowland hardwoods. A pine plantation and mixed northern hardwoods dominate the upland component. Access is available by frontage along Jones Road, a county-maintained roadway, which adjoins a portion of the southerly boundary of the property. State-owned land is adjacent to the southern boundary of the offered tract.

A one to two-acre cemetery is located on the southwestern corner of this tract but will be surveyed by the Department for purposes of exclusion from this transaction.

The purchase will include mineral rights owned by the sellers, subject to a 20-year reservation of oil and gas.

The offered Schubert parcel is located inside the boundaries of the Oak Grove State Game Area (OGSGA) and acquisition will expand and consolidate State ownership, secure additional wetland wildlife habitat, and increase public recreational opportunities in the heavily populated southeast Michigan area.

The land desired by the WLCSD and all stipulations associated with its disposal are fully detailed in the memo of transaction #20040054, which was reviewed and approved by the Director at the August 16, 2007 meeting.

This 3-way exchange contributes significantly to the Department's goal of consolidating land within project boundaries. It incorporates into the OGSGA land that is very suitable for hunting and fishing as well as other outdoor recreation, and replaces land which no longer provides for the broad range of hunting opportunities that are expected of game and recreation areas in Michigan.

Recommendations: (1) That this exchange be approved subject to those stipulations outlined above and on the memo for transaction #20040054.

(2) That any applicable transaction costs related to acquisition of the offered parcel be paid using proceeds from the sale to WLCSD.

David E. Freed, Chief
Land and Facilities

Kelley D. Smith, Chief
Fisheries

Douglas A. Reeves, Acting Chief
Wildlife

Lynne M. Boyd, Chief
Forest, Mineral and Fire Management

Ronald A. Olson, Chief
Parks and Recreation

Arminda S. Koch
Resource Management Deputy

Dennis R. Fedewa
Chief Deputy

I approve the staff recommendations.

Rebecca A. Humphries
Director

Date Approved

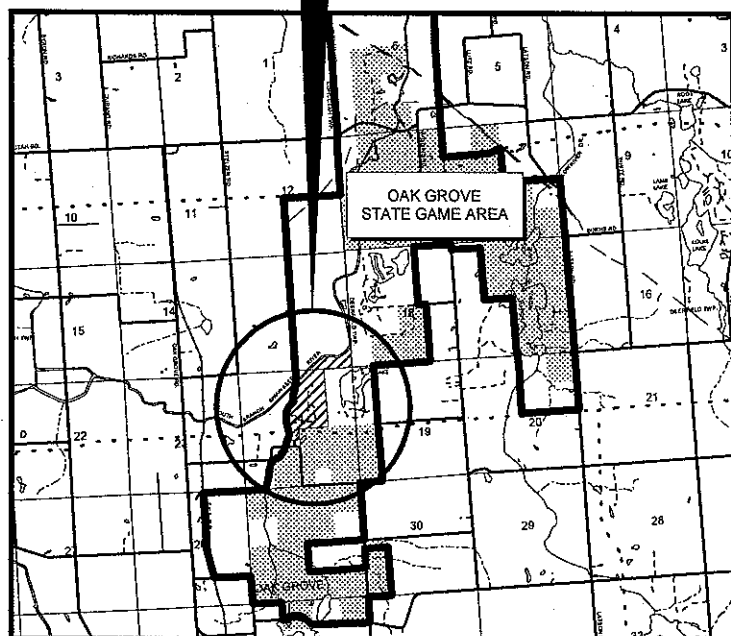
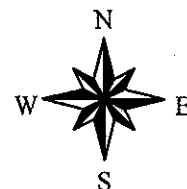
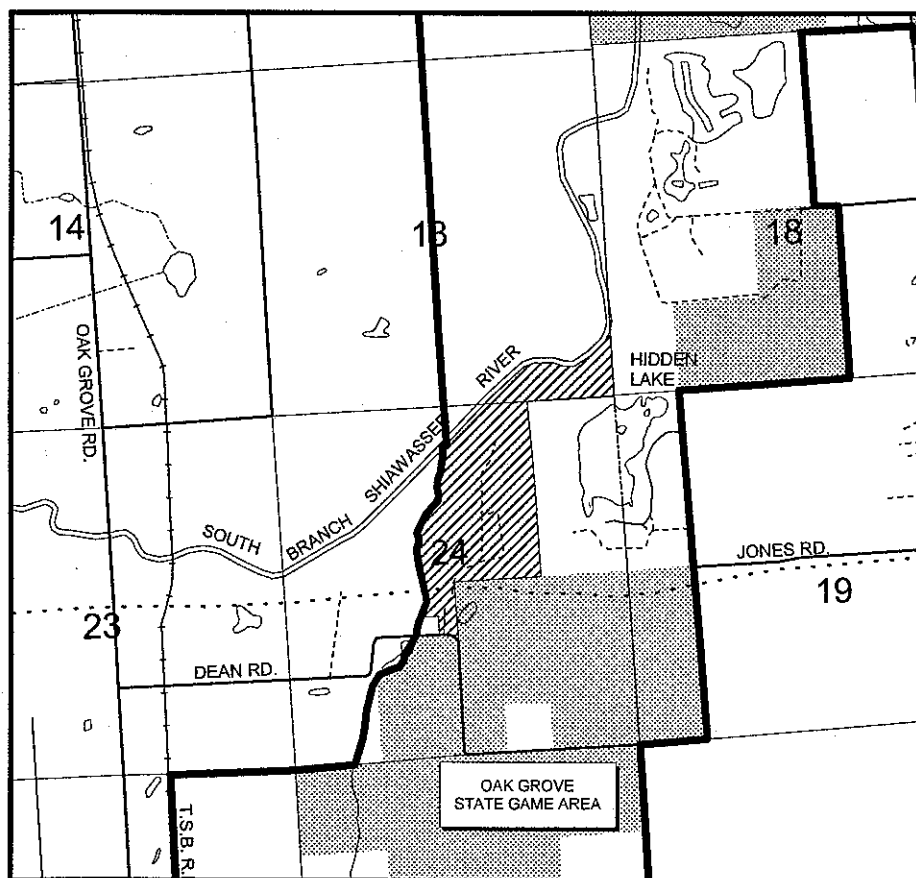
WILDLIFE AND RECREATION AREA 3-WAY LAND EXCHANGE

Oak Grove State Game Area - Livingston County

The Donald and Doe Schubert Tract

Land Transaction Case #20060112

(Map 1 of 2)



- Oak Grove State Game Area Boundary
- ▨ Land Offered to the DNR (114 acres - \$969,000.00)
- ▤ State Land
- Private Land

SOURCE
MICHIGAN DEPARTMENT OF NATURAL RESOURCES
FOREST, MINERAL AND FIRE MANAGEMENT

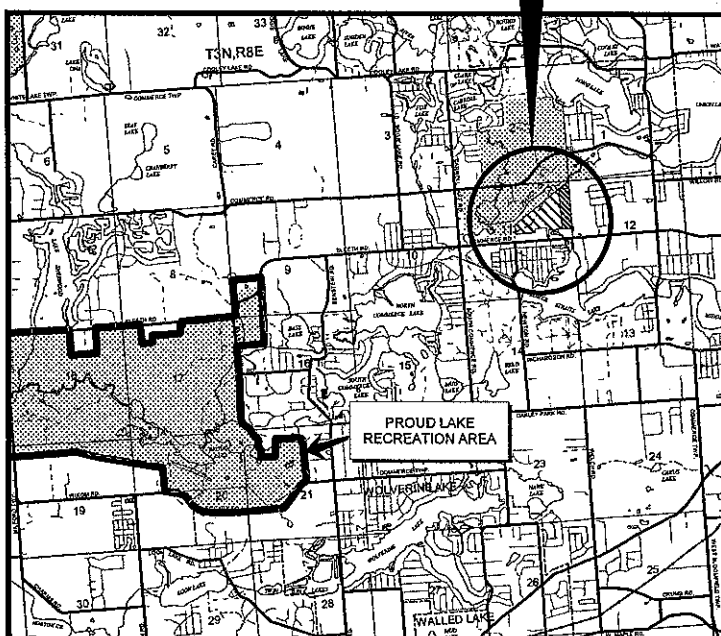
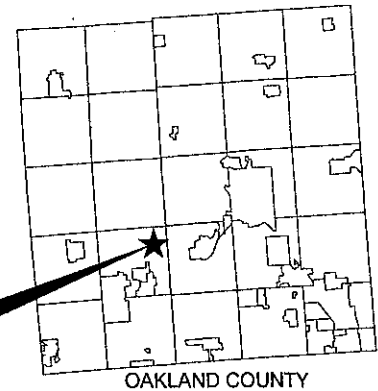
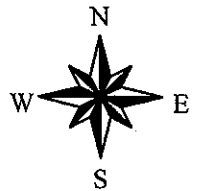
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WILDLIFE AND RECREATION AREA 3-WAY LAND EXCHANGE

Proud Lake Recreation Area - Oakland County

Land Transaction Case #20060112

(Map 2 of 2)



- Proud Lake Recreation Area Boundary
- ▨ State Land to be Sold to WLCSD (64.04 acres)
- ▩ State Land Desired in Exchange (19.20 acres - \$969,000.00)
- ▧ State Land
- Private Land

SOURCE

MICHIGAN DEPARTMENT OF NATURAL RESOURCES
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